

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA)	
)	
and)	
)	
The STATE OF SOUTH DAKOTA,)	CASE NO. 5:16 cv 5022
)	
Plaintiffs,)	
)	
v.)	NOTICE OF LODGING OF
)	[PROPOSED] CONSENT DECREE
COCA MINES, INC.)	
)	
and)	
)	
THOMAS E. CONGDON,)	
)	
Defendants.)	

NOTICE OF LODGING OF [PROPOSED] CONSENT DECREE

The United States and the State of South Dakota (“Plaintiffs”) have filed a Complaint pursuant to Sections 107(a) and 113(g)(2) of the Comprehensive, Environmental, Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. §§ 9607(a) and 9613(g)(2), against CoCa Mines, Inc. and Thomas E. Congdon (“Defendants”). By way of this Notice, the United States notifies the Court that the Plaintiffs have lodged today a proposed Consent Decree in this matter (the “Decree”). The Decree, which is attached as Exhibit 1 to this Notice, would resolve the Plaintiffs’ claims against the Defendants as described in the Complaint.

The Court should not sign the Decree at this time. Instead, the Decree should remain

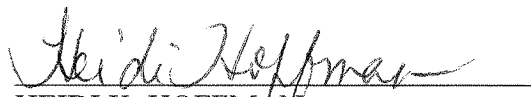
lodged with the Court while the United States provides an opportunity for public comment in accordance with Section 122(d)(2) of CERCLA, 42 U.S.C. § 9622(d)(2), and the policy of the Department of Justice, 28 C.F.R. Part 50.7.

The Department of Justice will publish in the Federal Register a notice that the Decree has been lodged with the Court. The Notice will solicit public comment for a period of 30 days. During the comment period, no action is required by the Court.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

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